

REMARKS

Amendments to the Claims

Claims 78, 139, and 156-158 have been cancelled.

Claim 69 has been amended to recite “wherein the antibody or antigen binding portion thereof is conjugated to a cytotoxic drug”. Support for this amendment is found, for example, in the claims as originally filed and in the specification as filed at pages 26 and 27.

Claims 69, 76, 77, 79, 124-127, 129, 130, 137, 153, 159, 160, 170-172, and 185 have been amended to recite “monoclonal antibody”. Support for this amendment is found, for example, in the claims as originally filed and in the specification as filed at page 16, second paragraph.

Claims 79 and 172 have been amended to recite “the monoclonal antibody is produced by a hybridoma with an ATCC accession number HB-12101.” Claims 191-193 and 194-196 have been added and are dependent upon claims 69 and 126, respectively. Claims 191 and 194 recite produced by a hybridoma with an ATCC accession number HB-12109, claims 191 and 194 recite produced by a hybridoma with an ATCC accession number HB-12127 and claims 192 and 195 recite produced by a hybridoma with an ATCC accession number HB-12126.

In view of the claim amendments provided herein, Applicants submit that the claims are entitled to the earliest priority date of May 6, 1996 and that the objections and rejections of the Office Action dated November 21, 2007 have been obviated. Withdrawal and reconsideration of the objection and rejections are respectfully requested.

CONCLUSION

Applicant respectfully submits that all pending claims are in condition for allowance and request early favorable action. If the Examiner believes a telephonic interview would expedite the prosecution of the present application, the Examiner is welcome to contact Applicant's Attorney at the number below.

Date: December 22, 2008

Tel. No.: (617) 526-9716
Fax No.: (617) 526-9899

Respectfully submitted,

/Sandra A. Brockman-Lee #44045/

Reg. No. 44,045
Sandra A. Brockman-Lee
Attorney for the Applicant
Proskauer Rose LLP
One International Place
Boston, MA 02110